

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 17, 2000**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Crosby, Acting P.J., Rylaarsdam, J. and Bedsworth, J. K. Rossi, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G024967	KEITH WROTEN

Merits. Cause called. Richard Schwartzberg argues for appellant. Craig Nelson, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

Court reconvened. Panel members are Sills, P.J., Crosby, J., and Bedsworth, J. K. Rossi, Deputy Clerk attending.

CRIM	THE PEOPLE
Nos.	v.
G023654	MARCOS ZUNIGA
G026695	

Merits. Cause called. Richard Schwartzberg argues for appellant. Steve Oetting, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 17, 2000 (Cont'd)**

Court reconvened. Panel members are Sills, P.J., Bedsworth, J. and O'Leary, J. K. Rossi, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G025258	MIGUEL E.

Merits. Cause called. Kenneth Noel argues for appellant. Robert Foster, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G024665	OSCAR AVALOS LOPEZ

Merits. Cause called. Elisa Brandes argues for appellant. Peter Quon, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G024951	DANIEL CARR

Merits. Cause called. Kevin Little argues for appellant. Steve Oetting, Deputy Attorney General argues for respondent. Appellant is invited to file supplemental points and authorities by 5:00 p.m. on April 21, 2000. Respondent may file supplemental points and authorities by 5:00 p.m. on April 28, 2000. Cause to be submitted on April 28, 2000.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 17, 2000 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Crosby, J., and Rylaarsdam, J. K. Rossi, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G023456	TRAVIS SCOTT FREDERICKSON

Merits. Cause called. William Kopeny argues for appellant Fleck. Pursuant to written notice by Kimberly Grove, oral argument is waived as to appellant Travis Frederickson. Vincent Rabago, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G023835	KEVIN ALLEN AVERY

Merits. Cause called. Philip Brooks argues for appellant. Garrett Beaumont, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
Nos.	v.
G024508	GIA MICHELLE McCLAIN

Merits. Richard Schwartzberg argues for appellant. Karl Terp, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 17, 2000 (Cont'd)**

CRIM No. G025249	THE PEOPLE v. TUAN PHUONG NGUYEN Opinion filed. Judgment affirmed in part and reversed in part. Bedsworth, J.  We concur: Crosby, Acting P.J. Rylaarsdam, J.	Not for publication
CRIM No. G024249	THE PEOPLE v. VICTOR PEREZ CASTREJON  Opinion filed. Judgment affirmed.  We concur: Crosby, Acting P.J. Rylaarsdam, J.	Not for publication   Bedsworth, J.
CIVIL  No. G025716	ORANGE COUNTY SOCIAL SERVICES AGENCY v. SHAWNA W.  Opinion filed. Judgment affirmed.  We concur: Crosby, Acting P.J. Rylaarsdam, J.	Not for publication   Bedsworth, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 18, 2000**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Crosby, J. and O'Leary, J. K. Rossi, Deputy Clerk attending.

CIVIL	JOAN F.
Nos.	v.
G026034	SOCIAL SERVICES AGENCY
G026520	

Merits. Cause called. Kate Chandler argues for appellant, Joan Frankell. Marsha Levine argues for appellant, William Frankell. Jim Persinger, Deputy County Counsel argues for respondent Social Services Agency. Harry Zimmerman argues for respondent Joshua Frankell. Cause submitted.

CIVIL	SIMON MATTA
No.	v.
G020799	TED JONES FORD, INC.

Merits. Cause called. Theodore Anderson argues for appellant. Joseph Walker argues for respondent. Cause submitted.

CIVIL	PAUL WALTERS
No.	v.
G026062	SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ORANGE; MARIO UBINA

Merits. Cause called. Denah Yoshiyama argues for petitioner. Doreen Boxer, Deputy Alternate Defender argues for real party in interest Ubina. Gregory Robischon, Deputy District Attorney argues for real party in interest The People of the State of California. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 18, 2000 (Cont'd)**

CIVIL            BANK OF YORBA LINDA  
No.                v.  
G025289        GRAY FAMILY CORPORATION

Merits. Cause called. Jerry Morgan argues for appellant. Steven Bergh argues for respondent. Cause submitted.

CIVIL            THE ROMAN CATHOLIC BISHOP OF ORANGE  
No.                v.  
G025762        SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
                     COUNTY OF ORANGE;  
                     MARCUS RYAN DiMARIA

Merits. Cause called. Elizabeth Kolar argues for petitioner. Katherine Freberg argues for real party in interest. Cause submitted.

Court declares a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division  
April 18, 2000 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and O'Leary, J. K. Rossi, Deputy Clerk attending.

CIVIL	CHRISTY U.
Nos.	v.
G026277	SOCIAL SERVICES AGENCY
G026282	

Merits. Cause called. Marsha Levine argues for appellant Joseph Citarello. Stephanie Davis appears for any questions the court may have as to appellant Christy Underwood. Ward Brady, Deputy County Counsel argues for respondent Social Services Agency. Janette Cochran appears for any questions the court may have as to the minor Arlene U. Sharon Rollo appears for any questions the court may have as to respondents Joseph and Julia Citarello. Counsel for appellant Joseph Citarello may file a supplemental letter brief by April 28, 2000. Cause to be submitted on April 28, 2000.

CIVIL	MICHAEL MEBANE
Nos.	v.
G026156	CITY OF PLACENTIA
G026489	

Merits. Cause called. Steve Filarsky appears for any questions the court may have as to appellant. Joseph Straka appears for any questions the court may have as to respondent. Cause is submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division  
April 18, 2000 (Cont'd)**

CIVIL                FORD E.C., INC.  
Nos.                v.  
G023725            LIFE FIRE TECHNOLOGY CORPORATION  
G023924

Merits. Cause called. Timothy Creyaufmiller argues for appellant. David Romney argues for respondent. Counsel may file supplemental letter briefs by 5 p.m. on April 28, 2000. Cause to be submitted on April 28, 2000.

CIVIL                RAYMOND MYERS  
No.                v.  
G022484            COUNTY OF ORANGE

Merits. Cause called. Grey Zimmerman argues for appellant. Debra Allen argues for respondent County of Orange. Roy Weatherup argues for respondent California Corridor Constructors. All parties are invited to file supplemental letter briefs by 5 p.m. on April 28, 2000. Cause to be submitted on April 28, 2000.

CIVIL                MICHAEL PESTANO  
No.                v.  
G020123            MID-CENTURY INSURANCE COMPANY

Merits. Cause called. Michael Buley argues for appellant. Barry Levy argues for respondent. Cause submitted.

Court declares a recess.

CRIM                THE PEOPLE                                Not for publication  
No.                v.  
G024141            TERRY RAMIREZ

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Crosby, J.  
                  Bedsworth, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 18, 2000 (Cont'd)**

CRIM  
No.  
G025922

THE PEOPLE  
v.  
AGUSTIN MELGAR

Not for publication

Opinion filed. Judgment reversed with directions.

Crosby, J.

We concur: Sills, P.J.  
O'Leary, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 19, 2000**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Crosby, Acting P.J., Rylaarsdam, J. and O'Leary, J. K. Rossi, Deputy Clerk attending.

CIVIL	MARSHALL GAVIN
No.	v.
G021306	SADDLEBACK MEMORIAL MEDICAL GROUP

Merits. Cause called. Gerald Shaw argues for appellant. George Hampton argues for respondent Saddleback Memorial Medical Center. Scott Martin argues for respondent Saddleback Memorial Medical Group. Alan Boon argues for respondent Noreen Norris-Walsh. Phillip Wing appears for any questions the court may have as to respondent California Emergency Physicians. Cause submitted.

Court declared a recess.

Court reconvened. Panel members are Sills, P.J., Crosby, J. and O'Leary, J. K. Rossi, Deputy Clerk attending.

CIVIL	PEGGY DRAPER
No.	v.
G022560	BYRON ACETO ET AL.

Merits. Cause called. Marvin Mathis argues for appellant. S. Henslee Smith argues for respondent Compton Unified School District. Cause submitted.

CIVIL	SHERRY MONARCKY
No.	v.
G021938	HUNTINGTON BEACH UNION HIGH SCHOOL

Merits. Cause called. Phyllis Gallagher argues for appellant. Gregory Wille argues for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 19, 2000 (Cont'd)**

CIVIL            U.S. FIDELITY AND GUARANTY  
No.               v.  
G024683        MT. HAWLEY INSURANCE COMPANY

Merits. Cause called. William Morrison-Knox argues for appellant. Paul Loreto argues for respondent. Cause submitted.

CIVIL            JACKIE SUNDY  
No.               v.  
G022197        SOUTHERN CALIFORNIA EDISON

Merits. Cause called. No appearance for appellant. William Harn argues for respondent. Cause submitted.

Court declared a recess.

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Crosby, J., and Rylaarsdam, J. K. Rossi, Deputy Clerk attending.

CIVIL            TPM FINANCIAL INCORPORATED  
No.               v.  
G020940        HOOVER FAMILY TRUST

Merits. Cause called. Jon Dalberg argues for appellant TPM Financial, Inc. Donald Price argues for appellant Hoover Family Trust. Steven Cote argues for respondent Terry Marston. Cause submitted.

CIVIL            TAWNYA BOAZ  
No.               v.  
G023231        DAVID JOHANSON

Merits. Cause called. Susan Handleman argues for appellant.  
Darren O'Leary Aitken argues for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 19, 2000 (Cont'd)**

CIVIL            CHARLES MILDEN  
No.                v.  
G021310        LEO NEWTON

Merits. Cause called. Phillip Putman argues for appellants. Joseph  
Serpico argues for respondent Edward Smilow. Leo Newton argues  
in propria persona. Terry Higham argues for respondent Margie  
Diskinson. Cause submitted.

CIVIL            CLYDE HERMANSKI  
No.                v.  
G020999        STEPHEN McNASH

Merits. Cause called. Paul Hoffman argues for appellants.  
Clifford Roberts argues for respondent. Cause is submitted.

CIVIL            ELVA LESPERANCE  
No.                v.  
G019922        BEVERLY ENTERPRISES

Merits. Cause called. Steven Wilhelm argues for appellant.  
Wendy Lascher argues for respondent. Cause submitted.

Court declares a recess.

CRIM            THE PEOPLE  
No.                v.  
G023786        JOAQUIN AGUILAR RUELZA

Not for publication

Opinion filed. Judgment affirmed as modified.

Bedsworth, J.

We concur: Crosby, Acting P.J.  
Scoville, J.\*

\*Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 5 of the California Constitution.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 19, 2000 (Cont'd)**

CRIM No. G025685	In re TAM VAN HUYNH on Habeas Corpus	Not for publication
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Opinion filed. Writ denied.

Sills, P.J.

We concur: Crosby, J.  
Bedsworth, J.

CRIM No. G025916	THE PEOPLE v. ANTHONY L.	Not for publication
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Opinion filed. Judgment affirmed as modified.

Crosby, Acting P.J.

We concur: Rylaarsdam, J.  
Bedsworth, J.

CIVIL No. G025930	ORANGE COUNTY SOCIAL SERVICES AGENCY v. DENISE C. and CURTIS W.	Not for publication
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Opinion filed. Judgment affirmed.

O'Leary, J.

We concur: Sills, P.J.  
Bedsworth, J.

CIVIL	REBECCA GAIL LAWRENCE	Not for publication
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No.  
G025404

v.  
PATRICK J. MANDARINO, as Trustee etc.

Opinion filed. Judgment affirmed.

By the Court

Before: Sills, P.J., Rylaarsdam, J., and O’Leary, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 20, 2000**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Crosby, Acting P.J., Rylaarsdam, J. and Bedsworth, J. K. Rossi, Deputy Clerk attending.

CIVIL            GER K.  
No.                v.  
G026357        DEPARTMENT OF SOCIAL SERVICES

Merits. Cause called. Richard Pfeiffer argues for appellant mother. Michael Randall argues for appellant father. Mark Howe, Deputy County Counsel argues for respondent Social Services Agency. Lori Fields argues for respondents minors. Cause submitted.

CIVIL            CONSTANCE WIGOD  
No.                v.  
G022442        ASHLEA REA M.

Merits. Cause called. Vincent Goodwin argues for appellant. Richard Schwartzberg argues for respondent. Cause submitted.

CIVIL            TRIDER CORPORATION  
No.                v.  
G022344        RONALD SCHEINMANN

Merits. Cause called. Nicholas Mosich argues for appellant. M. Laurie Murphy argues for respondent. Cause submitted.

CIVIL            PATRICK GRAHAM  
No.                v.  
G021696        CITY OF HUNTINGTON BEACH

Merits. Cause called. Richard Silber argues for appellant. John Liebert argues for respondent. Appellant's request to augment the record is denied. Cause submitted.

Court declares a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2000**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Crosby, J. and Bedsworth, J. K. Rossi, Deputy Clerk attending.

CIVIL                RONALD RICHARDS  
No.                    v.  
G023967            STEVEN GOURLEY, AS DIRECTOR OF THE DEPARTMENT  
                         OF MOTOR VEHICLES OF THE STATE OF CALIFORNIA

Merits. Cause called. Jorge Otano, Deputy Attorney General argues for appellant. Jeffrey Wilens argues for respondent. Cause submitted.

CIVIL                STEVEN GOURLEY, AS DIRECTOR OF THE DEPARTMENT  
No.                    OF MOTOR VEHICLES OF THE STATE OF CALIFORNIA  
                         v.  
G025650            JOSEPH DONAHUE

Merits. Cause called. Gabrielle Brumbach, Deputy Attorney General argues for appellant. Michael Khouri argues for respondent. Cause submitted.

CIVIL                MELINDA M.  
No.                    v.  
G026311            ORANGE COUNTY SOCIAL SERVICES AGENCY

Merits. Cause called. Richard Pfeiffer argues for appellant mother. No appearance for respondent father. Amy Morgan, Deputy County Counsel argues for respondent Social Services Agency. Sharon Jones argues for respondent minor. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2000 (Cont'd)**

CIVIL            MELANIESSE B.  
No.                v.  
G026161        ORANGE COUNTY SOCIAL SERVICES AGENCY

Merits. Cause called. Suzanne Evans argues for appellant. Ward Brady, Deputy County Counsel for respondent Social Services Agency. Sharon Jones argues for respondent minor. Respondent may file a supplemental letter brief by April 28, 2000. Appellant and minor may file supplemental letter briefs by May 8, 2000. Cause to be submitted on May 8, 2000.

Court declares a recess.

CRIM	In re MATTHEW MILLER on Habeas Corpus	Not for publication
	Opinion filed. Writ granted.	
	We concur: Rylaarsdam, J. O'Leary, J.	Sills, P.J.